

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:06-CV-00075-W**

**ROBERT P. SARTIN, SR.; ROBERT P.  
SARTIN, JR.; MARIE M. MCGINNESS  
SARTIN; TED GRIFFIN; G. DONALD  
LAYNO; JOHN MICHAEL WILSON;  
RONALD FRAHM; SHARON FRAHM;  
DOUG CLINE; EDWARD L. SARTIN;  
EDWARD A. SARTIN; CHRISTOPHER  
T. SARTIN; SARTIN SERVICES, INC.;  
and RICHARD SARTIN,**

**Plaintiffs-Appellees,**

**vs.**

**JOHN D. MACIK,**

**Defendant-Appellant.**

**ORDER**

THIS MATTER is before the Court on remand following the opinion and mandate of the United States Court of Appeals for the Fourth Circuit, Sartin v. Macik, 535 F.3d 284 (4th. Cir. 2008), which reversed this Court's order awarding summary judgment to Plaintiffs. For the reasons stated in Sartin v. Macik, 535 F.3d 284 (4th Cir. 2008), the decision of the bankruptcy court that was appealed to this Court is REVERSED. This case is hereby REMANDED to the bankruptcy court for proceedings consistent with the Fourth Circuit's opinion. The Clerk is DIRECTED to send a copy of this Order to the appropriate bankruptcy court personnel and also to CLOSE the case.

IT IS SO ORDERED.

Signed: September 4, 2008



Frank D. Whitney  
United States District Judge

